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EXAMINER

TILLERY, RASHAWN N

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/527,760

Applicant(s)

OKUNO, YASUHIRO

Examiner

Rashawn N Tillery

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) 2,3,14,15,26 and 27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-13,16-25 and 28-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

The indicated allowability of claims 4, 9, 16, 21, 28 and 33 is withdrawn in view of the newly discovered reference(s) to Clapper (US6023241) in view of Murphy et al (US6282362). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 4-7, 13, 16-19, 25, 28-31, 37, 39 and 41 are rejected under 35 U.S.C. 102(e) as being anticipated by Kurosawa et al (US6654060).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

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Regarding claims 1, 13 and 25, Kurosawa discloses an information control apparatus having control means for controlling an image sensing range of a camera, comprising:

- a storage device adapted to store a program for operating a predetermined action associated with the image sensing range of the camera (Kurosawa stores programs which allow the user to obtain status information of a device; see col. 15, lines 42-49);

- an acquisition device adapted to acquire information about a current image sensing range of the camera (Kurosawa acquires angle information- pan, tilt and zoom- of a device in the view of a camera; see col. 15, lines 1-27; also see figure 15); and

- a control device adapted to automatically activate the program stored in the storage device when the current image sensing range of the camera acquired by the acquisition device matches with the image sensing range of the camera associated with the predetermined action (Kurosawa generates an image containing the device in the view of the camera along with the status information; see col. 15, lines 58-65; also see figure 14).

Regarding claims 4, 16 and 28, Kurosawa discloses the storage device stores programs for operating a plurality of different actions (Kurosawa stores programs which allow the user to obtain status information of a device; see col. 15, lines 42-49), and the control device performs control upon determining termination/continuation of operation of a program under activation in accordance with a type of action under activation when the acquisition device detects a change in the image sensing range of the camera in the

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presence of the program under activation (the examiner notes that it is inherent that when the camera is moved from one sensing range to another the associated program for the particular range is activated/deactivated).

Regarding claims 5, 17 and 29, Abrams discloses, in figure 7, the storage device stores a program for operating an action for display control of character information corresponding to a predetermined image sensing range of the camera (see col. 12, lines 30-47).

Regarding claims 6, 18 and 30, Kurosawa discloses the storage device stores programs for operating an action for setting or operating a printer (see col. 18, lines 28-37).

Regarding claims 7, 19 and 31, Abrams discloses the storage device stores a program for operating an action for transmitting electronic mail (see col. 11, line 36 to col. 12, line 29).

Regarding claims 37, 39 and 41, Regarding claims 1, 13 and 25, Kurosawa discloses an information control apparatus having control device for controlling an image sensing range of a camera, comprising:

a storage device adapted to store a program for operating a predetermined action (Kurosawa stores programs which allow the user to obtain status information of a device; see col. 15, lines 42-49);

an acquisition device adapted to acquire information about a current image sensing range of the camera (Kurosawa acquires angle information- pan, tilt and zoom- of a device in the view of a camera; see col. 15, lines 1-27; also see figure 15);

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a control device adapted to activate the program stored in the storage device in accordance with acquired by the acquisition device (Kurosawa generates an image containing the device in the view of the camera along with the status information; see col. 15, lines 58-65; also see figure 14),

wherein the storage device stores programs for operating a plurality of different actions (Kurosawa stores programs which allow the user to obtain status information of a device; see col. 15, lines 42-49), and the control device performs control upon determining termination/continuation of operation of a program under activation in accordance with a type of action under activation when the acquisition device detects a change in the image sensing range of the camera in the presence of the program under activation (the examiner notes that it is inherent that when the camera is moved from one sensing range to another the associated program for the particular range is activated/deactivated).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-12, 20-24, 32-36, 38, 40 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clapper (US6023241) in view of Murphy et al (US6282362).

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Regarding claims 8, 20 and 32, Clapper discloses an information control apparatus having display means for displaying an image sensed by a camera, comprising:

storage device adapted to store a program (landmarks or multimedia tour guides) wherein the program is associated with an image sensing range (GPS coordinates) of the camera (Clapper is capable of playing prerecorded presentations useable as tour guides; see col. 3, line 61-67; also see col. 4, lines 35-63);

an acquisition device adapted to acquire information about a current image sensing range of the camera (Clapper is capable of acquiring GPS coordinates of the cameras current location); and

a control device adapted to automatically activate the program stored in the storage device when the current image sensing range of the camera acquired by the acquisition device matches with the image sensing range of the camera associated with the program (see col. 2, lines 40-65; also see col. 6, lines 30-46).

Clapper does not expressly disclose displaying the programmed information in a separate window from the current location information. Murphy reveals that it is well known in the art to utilize GPS coordinate information for identifying landmarks and displaying the information in separate windows (see figure 1; also see col. Col. 9, line 45 to col. 10, line 65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Clapper's device by implementing Murphy's teachings. One would have been motivated to do so in an effort to allow the user to view images of landmarks as well as information describing the landmark.

Regarding claims 9, 21 and 33, Clapper discloses the storage device stores programs for operating a plurality of different actions (Clapper is capable of playing prerecorded presentations useable as tour guides; see col. 3, line 61-67; also see col. 4, lines 35-63), and the control device performs control upon determining termination/continuation of operation of a program under activation in accordance with a type of action under activation when the acquisition device detects a change in the image sensing range of the camera in the presence of the program under activation (the examiner notes that it is inherent that when the camera is moved from one sensing range to another the associated program for the particular range is activated/deactivated).

Regarding claims 10, 22 and 34, see claim 8 above.

Regarding claims 11, 23 and 35, Clapper teaches the recorder is capable of communicating with a computer. Neither Clapper nor Murphy expressly disclose the storage device stores programs for operating an action for display control of a window for setting or operating a printer. However, Official Notice is taken that it is well known in the camera art to connect digital cameras or digital recorders directly to a printing device. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Clapper and Murphy by implementing a program to operate a printing device in an effort to transmit image data and reserve storage space since handheld recording devices have a limited amount of memory space.

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Regarding claims 12, 24 and 36, Neither Clapper nor Murphy expressly disclose the storage device stores a program for operating an action for display control of a window for transmitting electronic mail. However, Official Notice is taken that it is well known in the camera art to transmit electronic mail from a digital recorder. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Clapper and Murphy by implementing a program to transmit electronic mail since this feature is notoriously associated with handheld devices and would provide the user the advantage of sharing information instantaneously.

Regarding claims 38, 40 and 42, Clapper discloses an information control apparatus having display means for displaying an image sensed by a camera, comprising:

storage device adapted to store a program (landmarks or multimedia tour guides) wherein the program is associated with an image sensing range (GPS coordinates) of the camera (Clapper is capable of playing prerecorded presentations useable as tour guides; see col. 3, line 61-67; also see col. 4, lines 35-63);

an acquisition device adapted to acquire information about a current image sensing range of the camera (Clapper is capable of acquiring GPS coordinates of the cameras current location); and

a control device adapted to automatically activate the program stored in the storage device when the current image sensing range of the camera acquired by the acquisition device matches with the image sensing range of the camera associated with the program (see col. 2, lines 40-65; also see col. 6, lines 30-46),

wherein the storage device stores programs for operating a plurality of different actions (Clapper is capable of playing prerecorded presentations useable as tour guides; see col. 3, line 61-67; also see col. 4, lines 35-63), and the control device performs control upon determining termination/continuation of operation of a program under activation in accordance with a type of action under activation when the acquisition device detects a change in the image sensing range of the camera in the presence of the program under activation (the examiner notes that it is inherent that when the camera is moved from one sensing range to another the associated program for the particular range is activated/deactivated).

Clapper does not expressly disclose displaying the programmed information in a separate window from the current location information. Murphy reveals that it is well known in the art to utilize GPS coordinate information for identifying landmarks and displaying the information in separate windows (see figure 1; also see col. Col. 9, line 45 to col. 10, line 65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Clapper's device by implementing Murphy's teachings. One would have been motivated to do so in an effort to allow the user to view images of landmarks as well as information describing the landmark.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Furuyanna et al teach a device capable of displaying information corresponding to an area.

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2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashawn N Tillery whose telephone number is 703-305-0627. The examiner can normally be reached on 9AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RNT



AUNG MOE
PRIMARY EXAMINER